

REMARKS

Status of Claims

Applicant respectfully requests reconsideration and allowance of all of the claims of the application. The status of the claims is as follows:

- Claims 1-3, 5-16, 34 and 37-51 are currently pending;
- No claims are canceled herein;
- No claims are withdrawn herein;
- Claims 1, 14-16, 34, 37, 41 and 42 are amended herein;
- New claims 43-51 are added herein;
- Claims 1, 37 and 46 are independent.

Support for the amendments to the claims is found in the specification, for example, at least at paragraphs 0036, 0049, 0060, and 0062 of Applicant's published application, US2005/0234904.

Cited Documents

The following documents have been applied to reject one or more claims of the Application:

- **Knight:** Knight et al., U.S. Patent No. 6,493,703
- **Williams:** Williams et al., U.S. Patent Application Publication No. 2004/0210550
- **Holtzman:** Holtzman et al., U.S. Patent No. 7,185,065
- **Bates:** Bates et al., U.S. Patent No. 6,963,902

- **Presnell:** Presnell et al., U.S. Patent No. 6,182,067
- **Vanderveldt:** Vanderveldt et al., U.S. Patent No. 6,266,668

Claim Rejections under 35 USC 103(a)

Claims 1-3, 5-7, 11, 13, 34, and 37-42 stand rejected under 35 USC § 103(a) as allegedly being obvious over Knight in view of Williams, in view of Holtzman, in further view of Bates, and in further view of Presnell. Claims 8-9 and 12 stand rejected under 35 USC § 103(a) as allegedly being obvious over Knight in view of Williams, Holtzman, Bates, and Presnell, and in further view of Official Notice. Claims 10 and 14-16 stand rejected under 35 USC § 103(a) as allegedly being obvious over Knight, in view of Williams, Holtzman, Bates, and Presnell, in further view of Vanderveldt. Applicant respectfully traverses these rejections, and requests reconsideration and withdrawal of the rejections for the following reasons.

Independent Claim 1

Applicant submits that the combination of Knight with Williams, Holtzman, Bates, Presnell, Vanderveldt and/or the other art of record does not teach or suggest at least the following elements, as recited in amended independent claim 1 (with emphasis added):

... a ranking component that determines relevance of respective search results generated from a search associated with one or more of a Usenet, a discussion thread, a blog, an archived community discussion, or a chat room via multiple feature-based relevance functions,

wherein features of the relevance functions are based at least on one or more global thread properties comprising at least a thread

depth defined over a thread comprising one or more messages that include at least a message core and a message body, one or more posting-specific thread properties and attributes of a person posting the messages, and

wherein the attributes comprise at least a number of posting per time duration, a number of newsgroups posted to and a number of postings that have no responses;

a function generator component that generates the relevance functions such that ordered search results are ordered based on their respective relevancies;

wherein the search is selectively scoped based at least on a structure of the thread comprising the one or more messages,

wherein further at least one of the features is based on inferred labels on edges between an existing message in the thread and one or more of a parent or child of the message, and

wherein the labels determine a nature of a respective message in the thread and are automatically inferred from content of the one or more messages within the thread; and

a thresholding component that defines a threshold for an acceptable relevance level for at least one of the multiple relevance functions to mitigate providing non-relevant search results to a user, wherein the threshold is dynamically adjustable to adapt to the user's response to returned results by raising the threshold when the user rejects at least part of the returned results with a relevance above the threshold.

The subject matter of dependent claim 14 has been incorporated into independent claim 1. At pages 11-12 of the Office Action, with respect to the rejection of dependent claim 14, it is asserted that the cited art teaches **further comprising a thresholding component that defines one or more acceptable relevance levels in order to mitigate providing non-relevant search results to a user** (citing Vanderveldt, col. 4, lines 54-65). However, Applicant respectfully notes that the cited portion of Vanderveldt merely describes the following:

The spidering/crawling/roboting starts from the static index found in response to the initial query 15 of databases 18. Data sites

included in the index are scanned and assigned relevance using the 3 factors above. Data Sites with high levels of relevance are scanned deeper (links are followed, as well as the links revealed on those subsequent pages) than non-relevant pages. After a maximum number of links have been followed, or the total relevance of pages indexed exceeds a threshold, the search stops and results 20 are returned to user 10, organized by a weighted conglomeration of the 3 factors (generated by a neural network trained upon the user profile and previous searches and relevance results). (Vanderveldt, par. 0178 – emphasis added).

From a review of the foregoing reproduced portion of Vanderveldt, and the remainder of Vanderveldt, Applicant respectfully submits that Vanderveldt does not teach or suggest **a thresholding component that defines a threshold for an acceptable relevance level for at least one of the multiple relevance functions to mitigate providing non-relevant search results to a user, wherein the threshold is dynamically adjustable to adapt to the user's response to returned results by raising the threshold when the user rejects at least part of the returned results with a relevance above the threshold**, as recited Applicant's claim 1. Instead, Vanderveldt merely describes that "After a maximum number of links have been followed, or the total relevance of pages indexed exceeds a threshold, the search stops and results 20 are returned to user 10, organized by a weighted conglomeration of the 3 factors (generated by a neural network trained upon the user profile and previous searches and relevance results)" (Vanderveldt, col. 4, lines 60-65 – emphasis added). Thus, Applicant respectfully notes that Vanderveldt merely discusses that results are organized by a weighted conglomeration of factors. Consequently, Vanderveldt does not teach or suggest that **the threshold for an acceptable relevance level is dynamically adjustable by raising the threshold when the user rejects at least part of the returned results with a relevance above the threshold**, as recited in Applicant's

amended claim 1. The other art of record fails to compensate for the deficiencies in Vanderveldt pointed out above. Accordingly, Applicant respectfully submits that claim 1 is allowable for these elements.

Accordingly, insofar as that the combination of Knight with Williams, Holtzman, Bates, Presnell and Vanderveldt does not teach or suggest at least the above-emphasized clause of Applicant's amended claim 1, Applicant respectfully points out that the documents cited by the Examiner do not establish a *prima facie* case of unpatentability of amended claim 1. In view of the foregoing, Applicant respectfully submits that claim 1 is allowable over Knight, Williams, Holtzman, Bates, Presnell, Vanderveldt and/or the other art of record, and is in condition for allowance. Accordingly, for at least the foregoing reasons, Applicant respectfully asks the Examiner to reconsider and withdraw the rejection of claim 1 and issue a Notice of Allowance of same.

Independent Claims 37 and 46

Applicant submits that the combination of Knight with Williams, Holtzman, Bates, Presnell, Vanderveldt and/or the other art of record does not teach or suggest at least the following elements, as recited in amended independent claim 37 (with emphasis added):

... means for determining relevance of respective search results selected from one or more of a Usenet, a discussion thread, a blog, an archived community discussion, or a chat room via one or more feature-based relevance functions,

wherein the features are based at least on one or more of global thread properties comprising at least a thread depth, one or more

posting-specific thread properties and attributes of a person generating the postings, and

wherein the attributes comprise at least a number of posting per time duration, a number of newsgroups posted to and a number of postings that have no responses;

means for generating the one or more relevance functions that facilitate ordering the search results based on their respective relevancies,

wherein the search has variable scope based at least on a structure of a thread comprising one or more messages comprising at least a message core with text of a single message within the thread and a message body including text of a plurality of messages structurally related to the single message within the thread, at least one of the features is based on labels on edges between a message in the thread and one or more of a parent or child of the message,

wherein the labels are automatically inferred from content of the one or more messages within the thread; and

means for defining a threshold for an acceptable relevance level for at least one of the one or more relevance functions to mitigate providing non-relevant search results to a user, wherein the threshold is dynamically adjustable to adapt to the user's response to returned results by raising the threshold when the user rejects a portion of the returned results with a relevance above the threshold.

As discussed above with respect to the rejection of claim 1, Vanderveldt and the other art of record fail to teach or suggest ***a thresholding component that defines a threshold for an acceptable relevance level for at least one of the multiple relevance functions to mitigate providing non-relevant search results to a user, wherein the threshold is dynamically adjustable to adapt to the user's response to returned results by raising the threshold when the user rejects at least part of the returned results with a relevance above the threshold***, as recited in Applicant's claim 1. Consequently, for the same reasons as discussed above with respect to claim 1, Vanderveldt and the other art of record also fail to teach or suggest ***means for***

defining a threshold for an acceptable relevance level for at least one of the one or more relevance functions to mitigate providing non-relevant search results to a user, wherein the threshold is dynamically adjustable to adapt to the user's response to returned results by raising the threshold when the user rejects a portion of the returned results with a relevance above the threshold, as recited in Applicant's amended claim 37. Instead, Vanderveldt merely describes that "results 20 are returned to user 10, organized by a weighted conglomeration of the 3 factors (generated by a neural network trained upon the user profile and previous searches and relevance results)" (Vanderveldt, col. 4, lines 63-65 – emphasis added). Thus, Applicant respectfully notes that Vanderveldt does not teach or suggest that *the threshold* for an acceptable relevance level is *dynamically adjustable by raising the threshold when the user rejects a portion of the returned results with a relevance above the threshold*, as recited in Applicant's amended claim 37. Accordingly, Applicant respectfully submits that claim 37 is allowable over Vanderveldt for these elements. Applicant further submits that the other art of record fails to make up for the shortcomings in Vanderveldt pointed out above.

Accordingly, insofar as that the combination of Knight with Williams, Holtzman, Bates, Presnell and Vanderveldt does not teach or suggest at least the above-emphasized clause of Applicant's amended claim 37, Applicant respectfully points out that the documents cited by the Examiner do not establish a *prima facie* case of unpatentability of amended claim 37. In view of the foregoing, Applicant respectfully submits that claim 37 is allowable over Knight, Williams, Holtzman, Bates, Presnell, Vanderveldt and/or the other art of record, and is in condition for allowance.

Accordingly, for at least the foregoing reasons, Applicant respectfully asks the Examiner to reconsider and withdraw the rejection of claim 37 and issue a Notice of Allowance of same.

Furthermore, new independent claim 46 includes limitations similar to those discussed above with respect to claim 37, and is allowable under a similar rationale. Accordingly, for at least the foregoing reasons, Applicant respectfully asks the Examiner to issue a Notice of Allowance of independent claim 46.

Dependent Claims

In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

In addition, at least some of the dependent claims set forth additional patentable features that are neither taught, nor suggested by the prior art. For example, amended dependent claim 14 includes ***wherein the threshold limits the returned results based on system level constraints***, and amended dependent claim 16 includes ***wherein the threshold limits the returned results based on at least one of available memory or processing capacity***. Applicant has been unable to discern any portion of the art of record that teaches or suggests these elements of Applicant's dependent claims 14 and 16. Thus, Applicant respectfully submits that dependent claims 14 and 16 are separately allowable. Dependent claims 43, 45, 49 and 50 are directed to similar subject matter, and are allowable under a similar rationale.

Conclusion

For at least the foregoing reasons, all pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that would prevent allowance of this application, Applicant requests that the Examiner contact the undersigned representative before issuing a subsequent Action.

Respectfully Submitted,

Lee & Hayes, PLLC
Representative for Applicant

/Colin D. Barnitz 35061/ _____ Dated: December 28, 2009 _____

Colin D. Barnitz
(colin@leehayes.com; 512-505-8162 x5002)
Registration No. 35061

Reviewer/Supervisor: Emmanuel A. Rivera
emmanuel@leehayes.com; 512-505-8162 x5001
Registration No. 45760